

## what are my responsibilities?

- Soliciting calls may not be made to consumers whose telephone numbers are on the most current **Do Not Call** Registry.
- Soliciting telephone calls may not be made to consumers between the hours of 8 p.m. - 8 a.m., even those who are not on the **Do Not Call** Registry.
- No soliciting is permitted using recorded message devices or faxes.
- Telephone solicitors cannot use devices to block their identity from the consumer.
- Within the first minute of the call, solicitors must disclose:
  - the sales purpose of the call,
  - the name of the telemarketing company and the name of the ultimate seller, and
  - an accurate description of goods or services being sold, including the retail market value.
- Before accepting or arranging for payment, solicitors must disclose:
  - the price of goods or services, including tax, shipping & handling,
  - any restrictions or limitations on the purchase,
  - all policies regarding return, exchange or cancellation, and
  - all aspects of any investment including price, location and risk.

## what is the Massachusetts Do Not Call Registry?

The **Do Not Call** Registry is a list of consumers who have registered their telephone numbers with the Massachusetts Office of Consumer Affairs & Business Regulation, because they do not wish to receive unsolicited telephone sales calls. Telephone solicitors can electronically cross-reference telephone numbers and remove the names of consumers who do not want to be called, thus eliminating the time and expense related to making sales calls to uninterested parties.

Companies outside of Massachusetts making unsolicited sales calls to consumers in Massachusetts must register.

## how do I subscribe?

There are two ways for solicitors to subscribe:



online:

[www.mass.gov/donotcall](http://www.mass.gov/donotcall)



toll free call:

**866.339.1475**

Office of Consumer Affairs & Business Regulation  
10 Park Plaza, Suite 5170  
Boston, Massachusetts 02116

**The Massachusetts Do Not Call Registry**

**To Register call toll free: 1.866.339.1475**

**or log on: [www.mass.gov/donotcall](http://www.mass.gov/donotcall)**

## a guide for telephone solicitors and list brokers



# the do not call registry

**it's good business  
--and it's the law!**

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**Consumer Affairs &  
Business Regulation**



Mitt Romney  
Governor

Kerry Healey  
Lt. Governor

Beth Lindstrom  
Director

what is the Massachusetts  
Do Not Call law?

The **Do Not Call** law is an act regulating telephone solicitation in the Commonwealth of Massachusetts, effective January 1, 2003. The **Do Not Call** law requires anyone who makes unsolicited telephone sales calls to consumers in Massachusetts, and anyone who sells or republishes telephone sales lists, to register with the Massachusetts Office of Consumer Affairs & Business Regulation and to abide by rules governing telemarketing in the Commonwealth.

The **Do Not Call** law is found under M.G.L. chapter 159C. It is administered by the Massachusetts Office of Consumer Affairs & Business Regulation and enforced by the Office of the Attorney General. A copy of the law and regulations governing telemarketing are available under “The Law” tab at [www.mass.gov/donotcall](http://www.mass.gov/donotcall). All businesses governed by the law are required to read and have a copy of the regulations.

The law prohibits certain telemarketing calls. Solicitors may not call consumers who are listed on the **Do Not Call** Registry. The law also restricts calling hours, the use of recorded message devices and faxes, and requires telemarketers to make certain disclosures.

Consumers can report telemarketers who violate the law to the Office of the Attorney General. Consumers who can prove they received more than one call from the same telemarketer in a 12 month period can bring suit and recover up to \$5000. The Attorney General is empowered to investigate and prosecute violators and to seek injunctions and fines up to \$5000 per violation.

what are the exceptions  
to the law?

Certain calls are exempt from the requirements. Businesses that make only exempt calls do not have to subscribe to the **Do Not Call** Registry, but may choose to do so to avoid calling customers who do not want to be contacted by telemarketers.

The following calls are exempt:

- Noncommercial polls or surveys,
- Calls made by tax-exempt, non-profit organizations, e.g. universities and certain charities,
- Sales calls to an existing customer, unless the customer has requested not to be called,
- Calls to consumers with their prior, express written or verbal permission,
- Sales calls made primarily in connection with an existing contract or debt,
- Calls made to consumers in response to a visit to that company’s fixed commercial location, or
- Sales calls when a face-to-face meeting is required prior to the sale.



what do I get  
for my subscription?

**Convenience**  
Subscribers can receive the list in the format most convenient to them, either by electronic transmission or CD-ROM. This list is available on a certain date every quarter and there is a corresponding cut-off date each quarter when the new list goes into effect. (See chart below.) Subscribers can pay for the list online using a credit card or electronic funds transfer. Subscribers can also pay by check, but checks must be deposited before the list will be released.

Each annual subscription begins January 1 and expires December 31. Subscriptions cost \$1,100 per year. The fastest way to receive the list is via electronic transmission. CD-ROMs are available for an additional \$60 per year. Paper

Consumers may add their name, address and telephone number at any time to the **Do Not Call** Registry. Telephone solicitors and list brokers will receive quarterly updates and will have approximately one month to perform the necessary internal processing to ensure that solicitors stop calling consumers on the **Do Not Call** Registry, for example:

Consumers enroll in the <b>Do Not Call</b> Registry between:	Solicitor receives 4 updates: (specific delivery date varies based on selected media)	Solicitor may not call registered consumer after:
December 2* - March 1	During March	April 1
March 2 - June 1	During June	July 1
June 2 - September 1	During September	October 1
September 2 - December 1	During December	January 1

\*Beginning January 1, 2003

lists are also available for an additional cost. Each legal entity must register separately and purchase its own list.

**Good Customer Relationships**  
Consumers listed on the **Do Not Call** Registry are sending a strong message. Your business can save time and avoid hang-ups by using the **Do Not Call** Registry.

**Peace of Mind**  
Subscribing to the **Do Not Call** Registry will help ensure your protection from the financial consequences of individuals who file law suits or file complaints with the Attorney General’s Office. Your subscription and use of the **Do Not Call** Registry helps demonstrate your good faith effort to comply with the law.